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AUTHORITY: 49 U.S.C. 106(g), 5103, 40113, 40119, 44701–44702, 44706, 44901–44905, 44907, 44913–44914, 44932, 44935–44936, 46105.

SOURCE: Doc. No. FAA–2001–8724, 66 FR 37317, July 17, 2001.

Subpart A—General**§ 107.1 Applicability.**

(a) This part describes aviation security rules governing:

(1) The operation of each airport regularly serving aircraft operations required to be under a security program under part 108 of this chapter.

(2) The operation of each airport regularly serving foreign air carrier operations required to be under a security program under § 129.25 of this chapter.

(3) Each person who is in, or entering, a secured area, air operations area, security identification display area, or sterile area described in this part and part 108 of this chapter.

(4) Each person who files an application or makes entries into any record or report that is kept, made, or used to show compliance under this part, or to exercise any privileges under this part.

(5) Each airport operator that receives a Security Directive or Information Circular and each person who receives information from a Security Directive or Information Circular issued by the Assistant Administrator for Civil Aviation Security.

(b) Except as provided in § 107.105, the authority of the Administrator under this part is also exercised by the Assistant Administrator for Civil Aviation Security and the Deputy Assistant Administrator for Civil Aviation Security, and any individual formally designated to act in their capacity. The authority of the Assistant Administrator, including matters under § 107.105, may be further delegated.

§ 107.3 Definitions.

Terms defined in part 108 of this chapter apply to this part. For purposes of this part, part 108 of this chapter, and security programs under these parts, the following definitions also apply:

Air operations area (AOA) means a portion of an airport, specified in the airport security program, in which security measures specified in this part are carried out. This area includes aircraft movement areas, aircraft parking areas, loading ramps, and safety areas, for use by aircraft regulated under part 108 or § 129.25 of this chapter, and any adjacent areas (such as general aviation areas) that are not separated by adequate security systems, measures, or procedures. This area does not include the secured area.

Airport operator means a person that operates an airport serving an aircraft operator or a foreign air carrier required to have a security program under part 108 or § 129.25 of this chapter.

Airport security program means an airport operator's security program required under § 107.101 and approved by the Administrator.

Airport tenant means any person, other than an aircraft operator or foreign air carrier that has a security program under part 108 or § 129.25 of this chapter, that has an agreement with the airport operator to conduct business on airport property.

Airport tenant security program means the agreement between the airport operator and an airport tenant that specifies the measures by which the tenant will perform security functions under § 107.113.

Assistant Administrator means the FAA Assistant Administrator for Civil

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Aviation Security as described in 49 U.S.C. 44932.

Escort means to accompany or monitor the activities of an individual who does not have unescorted access authority into or within a secured area or SIDA.

Exclusive area means any portion of a secured area, AOA, or SIDA, including individual access points, for which an aircraft operator or foreign air carrier that has a security program under part 108 or §129.25 of this chapter has assumed responsibility under §107.111.

Exclusive area agreement means an agreement between the airport operator and an aircraft operator or a foreign air carrier that has a security program under part 108 or §129.25 of this chapter that permits such an aircraft operator or foreign air carrier to assume responsibility for specified security measures in accordance with §107.111.

Secured area means a portion of an airport, specified in the airport security program, in which certain security measures specified in this part are carried out. This area is where aircraft operators and foreign air carriers that have a security program under part 108 or §129.25 of this chapter enplane and deplane passengers and sort and load baggage and any adjacent areas that are not separated by adequate security systems, measures, or procedures.

Security Identification Display Area (SIDA) means a portion of an airport, specified in the airport security program, in which security measures specified in this part are carried out. This area includes the secured area and may include other areas of the airport.

Unescorted access authority means the authority granted to individuals by an airport operator, aircraft operator, foreign air carrier, or airport tenant authorized under this part or parts 108 or 129 of this chapter to gain entry to, and be present without an escort in secured areas and SIDA's.

§ 107.5 Airport security coordinator.

(a) Each airport operator shall designate one or more Airport Security Coordinator(s) (ASC) in its security program.

(b) The airport operator shall ensure that one or more ASC's:

(1) Serve as the airport operator's primary and immediate contact for security-related activities and communications with the Administrator. Any individual designated as an ASC may perform other duties in addition to those described in this paragraph (b)(1).

(2) Is available to the Administrator on a 24-hour basis.

(3) Review with sufficient frequency all security-related functions to ensure that all are effective and in compliance with this part, its security program, and applicable Security Directives.

(4) Immediately initiate corrective action for any instance of non-compliance with this part, its security program, and applicable Security Directives.

(5) Review and control the results of employment history, verification, and criminal history records checks required under §107.209.

(6) Serve as the contact to receive notification from individuals applying for unescorted access of their intent to seek correction of their criminal history record with the FBI.

(c) After July 17, 2003, no airport operator may use, nor may it designate any person as, an ASC unless that individual has completed subject matter training, as specified in its security program, to prepare the individual to assume the duties of the position. The airport operator shall maintain ASC training documentation until at least 180 days after the withdrawal of a individual's designation as an ASC.

(d) An individual's satisfactory completion of initial ASC training required under paragraph (c) of this section satisfies that requirement for all future ASC designations for that individual, except for site specific information, unless there has been a two or more year break in service as an active and designated ASC.

§ 107.7 Inspection authority.

(a) For purposes of security inspections, each airport operator shall allow Special Agents designated by the Administrator, at any time or place, to make any inspections or tests, including copying records, to determine compliance of an airport operator, aircraft operator, foreign air carrier, indirect